IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

CRP.No. 1120 of 2005()

AGAINST THE ORDER DATED 02/07/05 IN IA 1790/2004 IN OS.3358/2003 of I ADDL.M.C.,THRISSUR

.....

REVN. PETITIONER: PETITIONER - DEFENDANT

VIJAYAN NAMBIDI,
S/O. LATE RAMAN NAMBIDI, `AISWARIYA',
POONKUNNAM VILLAGE AND DESOM,
THRISSUR TALUK.

BY ADV. SRI.GRASHIOUS KURIAKOSE
SRI.PREM DOMINIC

RESPONDENT: PLAINTIFF:

SARADA MANDAN, D/O. LATE RAMAN NAMBIDI,
`KRISHNA VIHAR', KIZHANCHERY AMSOM,
ALATHUR, PALAKKAD DISTRICT.

BY ADV. SRI.MANJERI SUNDERRAJ
SRI.B.PREMNATH (E)
SMT.SUSAN JACOB

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 26/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON I.A.3164/05 IN C.R.P.1120/05

DISMISSED

26.6.2007 SD/-PIUS C.KURIAKOSE, JUDGE

/TRUE COPY/

PIUS C. KURIAKOSE, J.

.....

C.R.P.No.1120 OF 2005

.....

DATED THIS THE 26TH JUNE, 2007

ORDER

Having regard to the submissions addressed at the Bar, I do not find any warrant for setting aside the impugned order. But it is submitted that the contention of the petitioner, as stated in para.3(c) of the Civil Revision Petition, i.e., the suit had been grossly undervalued with the objective of maintaining the suit in the Munsiff's Court and that on the averments in the plaint itself it will have to be seen that the court below did not have pecuniary jurisdiction to entertain the suit, was not considered. I find some force in the above submission. Even as I confirm the impugned order, I direct the court below to hear the parties on the issue of propriety of the valuation of the suit and the jurisdiction of the court to try the suit on reasons of pecuniary valuation and take a decision on those aspects at the earliest.

The C.R.P. is disposed of as above. No costs.

(PIUS C.KURIAKOSE, JUDGE)

tgl